

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., April 14, 1992.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on March 24, 1992, were approved as mailed.

Members of Council made comments concerning various committees and activities.

The consent agenda consisted of the following: appointment of Mr. O. P. Stancer to serve an unexpired term on the City Planning Commission, said term to expire March 31, 1994.

On motion by Councilman Vest, seconded by Councilwoman Grahame, voted upon and carried unanimously, the consent agenda was adopted.

Mr. William W. King, Thompson & Litton, Inc., presented information regarding new Federal regulations governing municipal solid waste landfills. Mr. King stated that the new regulations were effective October 9, 1991; and if the City uses the current landfill beyond October 9, 1993, it will have to comply with all regulations. Mr. King's recommendation is to close the existing landfill under federal standards by October 9, 1993, and open a new landfill on the Hylton site. Mr. King presented several advantages of the Hylton site and reviewed the results of the geotechnical study. Mr. King also stated that the existing City landfill could possibly be used as a debris disposal area.

Councilman Vest indicated that the Solid Waste Committee recommends that the City close the existing landfill by October 9, 1993, and open a new landfill on the twenty-five acres adjacent to the Wastewater Treatment Plant.

On motion by Councilman Vest, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council authorized the preparation of Part A and Part B (of the permitting process) at the Hylton site for use as a landfill, at a cost not to exceed \$250,400 for the twenty-five acres. Roll call vote follows:

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| Councilman Brookshier | aye |
| Councilwoman Grahame | aye |
| Councilman Otey | aye |

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| Vice Mayor Owen | aye |
| Councilman Rice | aye |
| Councilman Vest | aye |
| Mayor Shelton | aye |

Mr. King presented the results of the geotechnical study conducted at the Stoney Creek reservoir. Mr. King stated that the outlet tunnel is leaking due to several cracks in the structure. The likely cause of leakage was settlement of the tunnel due to consolidation of foundation soils and fill soils. Mr. King recommended that the City proceed with a properly designed and managed grouting program, which he briefly reviewed. Mr. King stated that the total project cost is estimated at \$50,000 to \$60,000.

The City Manager stated that a request to advertise this project will probably be presented at the next meeting.

The City Manager stated that Council has received a draft of the preliminary budget for Fiscal Year 1992-93. Mr. Gross stated that the annual financial plan proposes the balanced revenues and expenditures for the next fiscal year. The City Manager reported that the budget being recommended provides:

- (a) Continuation of the development of all of the City's ongoing essential projects.
- (b) No reduction in any services presently being offered to the citizens.
- (c) No proposed increase in real estate tax rate.
- (d) No proposed increases in business taxes or licenses.
- (e) No increases in personal property tax.
- (f) No increases in user fees.

Mr. Barry Thompson, Assistant to the City Manager, reviewed charts of the proposed budget which included the following figures:

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| Cash carry over - \$ 1,550,000 | Expenditures - \$19,580,376 |
| Revenues - \$19,084,740 | Contingency - \$ 1,054,365 |

Council concurred in scheduling a work session on the budget for April 28, 1992, at 6:30 p.m.; and having a public hearing on the budget on May 12, 1992.

Ms. Kristen E. Shores, Executive Director of the Central Piedmont Private Industry Council, made a brief presentation regarding the Job Training Program.

Mr. Fred Walters, C & P. Telephone Company, gave a general overview of how Enhanced 911 would work in the Bedford area.

A committee consisting of Councilman Otey, Councilman Rice, and Councilwoman Grahame met earlier

with Mr. Walters. Councilman Otey stated that the committee recommends to go ahead with the first step.

The City Manager stated that the appropriate resolution or ordinance will be prepared and brought back to Council for consideration.

The City Manager reported that the City's engineers, Olver, Inc., and the contractor, H. Hamner Gay Co., have agreed on the final amount for Change Order No. 1 for the Wastewater Treatment Plant Upgrade Project. Mr. Gross recommended the approval of Change Order No. 1 in the amount of \$269,267 and a contract extension of 150 days. The City Manager stated that with this extension the project will be completed on approximately August 25, 1992. Mr. Gross indicated that the change order has resulted from more stringent requirements by the Health Department in the wastewater treatment process that those originally designed by the City's engineers.

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council authorized the City Manager to approve Change Order No. 1 in the amount of \$269,267 and authorize an additional 150 days for completion of the project. Roll call vote follows:

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| Councilwoman Grahame | aye |
| Councilman Otey | aye |
| Vice Mayor Owen | aye |
| Councilman Rice | aye |
| Councilman Vest | aye |
| Councilman Brookshier | aye |
| Mayor Shelton | aye |

After a recess, Council adjourned into executive session at 9:35 p.m.

On motion by Councilman Rice, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council adjourned into executive session for consultation with staff and legal counsel concerning the annexation lawsuit pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended. Roll call vote follows:

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| Councilman Otey | aye |
| Vice Mayor Owen | aye |
| Councilman Rice | aye |
| Councilman Vest | aye |
| Councilman Brookshier | aye |
| Councilwoman Grahame | aye |
| Mayor Shelton | aye |

Non-council members attending were: City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 10:48 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

On motion by Councilman Brookshier, seconded by Councilman Otey, voted upon and carried unanimously by a roll call vote, Council approved the resolution. Roll call vote follows:

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| Vice Mayor Owen | aye |
| Councilman Rice | aye |
| Councilman Vest | aye |
| Councilman Brookshier | aye |
| Councilwoman Grahame | aye |
| Councilman Otey | aye |
| Mayor Shelton | aye |

Mayor Shelton adjourned the meeting until April 28, 1992, at 6:30 p.m. for a work session on the proposed FY 1992-93 budget.